INFORMATION LETTER

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RENEGOTIATION STATUS OF ASSIGNED CONTRACTS

Adjustment Board's Amended Order Provides Complicated Guide

A recurring question in renegotiation proceedings affecting canners has been whether Army contracts for purchase of canned food remain renegotiable if the contracts have been assigned or transferred to the War Food Administration which then accepts delivery of the canned items and pays for them out of its own appropriation. The WFA is, of course, not a renegotiating agency and it has been strongly urged that the Army contracts assigned to WFA are not renegotiable. By an amendment to the Renegotiation Regulations published in the *Federal Register* for October 26, the War Contracts Price Adjustment Board sought to answer this question. The Board's amended regulation provides that:

"In connection with centralized government procurement, certain of the named Departments and other governmental agencies execute contracts pursuant to which the articles contracted for may be delivered to and paid for by other departments or agencies. As a general rule, the renegotiability of such contracts depends upon whether the contract is with a named Department and not upon whether a named Department receives delivery of, or pays for, the articles purchased."

The Board further declared the test of whether an "assigned" contract is renegotiable depends on whether the war contract is "clearly replaced by a contract" with a non-renegotiating agency. In other words, if the War Department "assigns" a contract to WFA, the "test" is whether the WFA has replaced the War Department as a party to the contract, and the fact that the canned foods were delivered to or paid for by the WFA is not made controlling. Application of this test will involve complicated legal distinctions in contract law between "assignment," "novation," and "substitution of parties."

The practical effect of the amendment is that the question whether, in a particular case, a contract "assigned" to WFA is renegotiable will depend upon the particular facts of the individual transactions and upon application of legal principles governing contracts. Therefore, the question of renegotiability of such contracts is left open for decision in each case. This means that the issue will be decided initially in each case by the local Price Adjustment Boards.

At the same time, the Board also amended its regulation covering renegotiability of contracts made by the Quartermaster Corps but paid for by Army Post Exchanges and Army Service Exchanges to conform to the new "test." Renegotiability of such contracts is made to depend only upon the fact that the Quartermaster Corps is a party to the contract. Previously, the Regulations provided that such contracts were not renegotiable if the goods or services were *not* paid for out of federal appropriated funds. In such case, the status of the Quartermaster Corps as a party to the contract formerly was immaterial to the issue of renegotiability.

Florida Citrus Prices Are Increased by OPA

The Office of Price Administration has increased the ceiling prices of Florida grapefruit by 81 cents and Florida oranges by 45 cents, per 1⅗ bushel box, effective November 6. The increases were mandatory under the Stabilisation Extension Act which requires price adjustments when crop yields are reduced because of adverse growing conditions. They will be effective for the rest of the year. The increase to the consumer at the retail level will be from 1½ cents to 2 cents per pound for grapefruit and from 5 to 6 cents per dozen for oranges. Prices and other features of the 1944-45 processing program will be announced soon.

REPORT OF STORM DAMAGE TO FLORIDA CITRUS CROP

BAE States Grapefruit Loss is 43%, and Orange Loss Nearly 20%

Florida production of grapefruit for the 1944-45 season is now estimated by the Bureau of Agricultural Economics at 20,500,000 boxes, a reduction of 43 per cent from the October 1 estimate issued prior to the hurricane that struck Florida and the Atlantic Coast. The 1943-44 crop totaled 31,000,000 boxes and the 10-year (1933-42) average was 18,000,000. Production of "seedless" grapefruit is now expected to be 48 per cent less or 7,800,000 boxes in comparison with 15,000,000 boxes estimated on October 1 and 14,000,000 boxes produced last year. The "other varieties" are now indicated at 12,700,000 boxes—40 per cent less than the 21,000,000 estimated on October 1—which compares with 17,000,000 boxes for the 1943-44 season.

These revised estimates of grapefruit production include quantities already shipped. Salvage of blown-off and fallen grapefruit will probably amount to only about 600,000 boxes as a high proportion of the fruit blown-off does not pass inspection. Quality of fruit on the trees has been reduced by the storm and a higher percentage of the crop than usual will be in the lower grades.

Production of all Florida oranges for the 1944-45 season is expected to total 42,000,000 boxes—a reduction of 10,000,000 from the October 1 estimate of 52,000,000. Early and mid-season varieties, indicated at 20,500,000 boxes, compare with 27,000,000 estimated on October 1 and a 1943-44 season total of 25,800,000. The 10-year (1933-42) average is 13,815,000 boxes.

Valencias, with a probable reduction of 14 per cent, do not show as great a storm loss as the early and mid-season varieties. The Valencia crop is now estimated at 21,500,000 boxes which compares with 25,000,000 on October 1. The 1943-44 crop totaled 20,400,000 and the 10-year average was 10,075,000. The bulk of the early and mid-season varieties is marketed from October to February and the Valencias from February to June. Only a very small percentage of the blown-off oranges will be salvaged.

In Florida the heaviest losses of fruit occurred in Polk, Orange, De Soto, Hardee, Highlands, and Seminole counties. Damage to vegetables was severe in most of the late-fall producing areas of Florida. The heaviest vegetable losses occurred in Florida West Coast areas and in the Lake Okeechobee region.

Loss of acreage in snap beans is placed at 14,600 acres, leaving 15,100 acres for harvest. An additional 9,500 are to be replanted for late fall harvest, indicating a total of 24,600 acres available this fall as compared with 38,000 indicated on October 1. In the Charleston, South Carolina, area approximately 60 per cent of the beans had been harvested prior to the storm. Damage to the remainder is reported as ranging from 25 to 50 per cent. The indicated production of tomatoes for fall harvest was reduced 75 per cent. No additional plantings or replantings of tomatoes are expected.

SUMMARY OF LAST WEEK'S INFORMATION BULLETIN

EDITOR'S NOTE—Because of the labor controversy which involved the typographical union and commercial printing establishments in Washington last week, it was impossible to print the INFORMATION LETTER; however, a mimeographed bulletin was published instead. In order that a permanent record might be kept of this bulletin, a brief summary of the more important items appearing in the bulletin are published herewith.

Refrigerator Cars. The Interstate Commerce Commission has ruled that effective November 15 canned foods may be shipped in refrigerator cars into all States except Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

Wage Ceilings for Citrus. Ceilings on wage rates for harvesting citrus fruits dropped by the hurricane have been raised by the War Food Administration. The new rates are effective from October 19 to November 11. For picking up grapefruit, grading in grove to meet packing house and canning plant regulations, loading in boxes, and dumping in bulk in trucks in groves—the wage rate is 9 cents per standard field box or equivalent measure or weight. Where all grapefruit are cleaned up off the ground and not graded in the grove—4 cents for picking up and placing in boxes, with an additional 2 cents for loading in bulk in trucks in grove, making a total of 6 cents per standard field box or equivalent measure or weight. For oranges the corresponding rates are 17 cents, 8 cents, 2 cents, and 10 cents.

Cans for Citrus. The War Production Board has authorized the unlimited use of metal cans for the packing of grapefruit segments and juice, orange juice, and blended orange and grapefruit juice. The action taken in Directive No. 6 to Conservation Order M-81, suspends metal can packing quotas on the specified items for the duration of the directive.

V-2 Boxes. To encourage canners to place orders for V-2 boxes during a period when fibre box manufacturers normally are not up to capacity production, the Office of the Quartermaster General has authorized QMC depots at Jersey City, N. J., Chicago, Ill., and in California to guarantee purchases of V-2 boxes and sleeves by all canners for 1945 export military requirements of canned fruits and vegetables up to 50 per cent of the individual canner's 1944 export quota for the Army and Navy. Canners must place their orders for boxes prior to December 15, 1944, to be assured of the guarantee. The guarantee does not apply to V-3 or domestic boxes or strapping materials.

Meat Packing Quotas. Packing quotas for November and December, 1944, have been established at 7½ per cent of a packers' 1944 packing quota for packing items 3, 4, 5, 6, 7, and 8 of Schedule II, according to Direction 5 to Conservation Order M-81 issued October 23, by the War Production Board. Schedule II of M-81 will be found on page 8000 of the INFORMATION LETTER for January 3, 1944.

Freight Car Loadings. Freight car loadings of canned goods for the fourth quarter are estimated by the Regional Shippers' Advisory Boards at 96,027 cars as compared with actual loadings of 91,650 cars in the corresponding quarter of 1943, an increase of 4.8 per cent.

WFA "A" Award. The following canning plants have earned the War Food Administration achievement "A" award: Blytheville Canning Co., Blytheville, Ark.; Campbell Products Co., Campbell, Calif.; S. & W. Fine Foods, Inc., Redwood City, Calif.; Bercut-Richards Packing Co., Sacramento, Calif.; Delta County Canning Co., Delta, Colo.; Cudahy Packing Co., New Ulm, Minn.; G. L. F. Waterloo Farm Products Co-op., Waterloo, N. Y.; and G. L. F. Columbia Farm Products Co-op., Inc., Bloomsburg, Pa.

Wage Ceiling Regulations. Regulations of the War Food Administrator which provide for administration of specific agricultural wage or salary ceilings have been revised and reissued as Specific Wage Ceiling Regulations (Revision 1), effective October 23, 1944. They are substantially the same as the specific wage ceiling regulations originally issued by the Administrator on January 20, 1944, and amended last July 8, except for the addition of a clause on evasions and a provision that State WFA Wage Boards, which administer the specific wage ceiling orders, may have examiners of the Solicitor's Office, Department of Agriculture, conduct violation hearings, instead of doing it themselves.

The newly added evasion clause makes it a violation of the regulations to evade the salary or wage limitations either by direct or indirect methods. Methods described as evasions include the unauthorized payment of bonuses, gifts, perquisites, transportation, salary, allowances for not working, or allowances for more volume than the amount actually produced or for more hours than those actually worked.

Thirty-eight specific wage ceiling orders have been issued to date by WFA's Director of Labor, to whom the Administrator has delegated his farm wage and salary stabilization authority. They apply to workers doing specific kinds of farm work in areas within the States of Florida, Delaware, California, Arizona, Washington, Oregon, and Idaho.

Less Spinach Needed in 1945

The War Food Administration has announced that tentative spinach requirements in 1945 for United States civilians and military services will total only about 80 per cent of the 1944 pack, and canners and growers are cautioned against producing more than the market can absorb. This commodity is unlikely to be supported in 1945. The 1944 pack was about 9 million cases. The estimated requirements for 1945 are only 7.5 million cases. In some sections of the country canners and growers already are making plans for 1945 spinach operations, and the WFA is cautioning them against overproduction.

WFA to Buy Vegetable Seeds

The War Food Administration has announced that it will purchase 3,015,000 pounds of vegetable seeds. The varieties and amounts on which offers will be accepted up to 2 p. m., EWT, November 7, are as follows: Dwarf garden bean, 1,500,000 pounds; sweet corn (open pollinated), 150,000 pounds; onion (hard keepers), 200,000 pounds; pea (canning and garden varieties), 900,000 pounds; pepper, 25,000 pounds; pumpkin, 90,000 pounds; radish, 75,000 pounds; turnip, 75,000 pounds.

Citrus Concentrates Offered

The War Food Administration is offering for sale 121,756 gallons of concentrated orange juice and 24,850 gallons of concentrated lemon juice. All offers to purchase these juices must be received by the Contract Development Section, Procurement and Price Support Branch, Office of Distribution, War Food Administration, Washington 25, D. C., not later than 5 p. m. EWT, November 18, 1944.

RULES ON SHORTENING OF AMORTIZATION PERIOD

Regulations Are Issued to Govern Non-Necessity Certificates

Canners will recall that provision was made in the Internal Revenue Code to permit, for income tax purposes, amortization over a five-year period of the capital expenditures made by a taxpayer in constructing emergency facilities certified to be necessary in the interest of national defense (Sec. 124 of the Internal Revenue Code. See INFORMATION LETTERS for 1942, pp. 6838, 6888, 7053, 7121, 7151, 7264, 7274, 7282). The statute also provides that, if it is certified that a particular facility in less than five years became no longer necessary in the interest of national defense, the amortization period may, at the election of the taxpayer, be shortened and the previously certified expenditure may be amortized in that shorter period.

Now provision has been made for determination of the time when a facility has ceased to be necessary in the war effort so that the shortened amortization period becomes available. It will be recalled that issuance of Necessity Certificates was originally handled by the War Department and that this function was subsequently transferred to the War Production Board (See INFORMATION LETTER No. 906, December 31, 1943, p. 7086). In keeping with the present WPB function, the President, by Executive Orders 9486 and 9487, issued September 30, 1944, designated the War Production Board as the agency having the power to certify that a facility is no longer necessary to the war effort. The President simultaneously promulgated regulations to govern the WPB in the performance of its new functions, which will be directed by Robert A. Irwin, Deputy Director of the WPB Procurement Policy Division.

These orders and regulations lay down the general policy and procedure for determining when a facility is no longer necessary, thus permitting shortening of the amortization period. As a general matter, a canner who wishes to obtain a shorter amortization period will file an application with the WPB (on Form WPB-3084) presenting facts to show that his particular facility is no longer necessary to the war effort. The WPB, if it agrees, will issue a Non-Necessity Certificate certifying that, as of a named date, the facility ceased to be necessary in the war effort. This date will measure the shortened available amortization period.

Numerous questions of policy affecting issuance of Non-Necessity Certificates still remain to be answered. Canners, however, should note the following fundamental points:

First, mere "non-user" of a facility for war work, as the result of a cancellation of a contract, for example, will not in itself establish that the facility is no longer necessary. If an application is filed, the WPB will first attempt to find war work suitable for the facility and offer it to the applicant. Thus, an applicant possibly might find his conversion to non-war work delayed.

Moreover, the certification must be that the facility is no longer necessary in the national defense. It is understood that "essential civilian business," even though not government contract business, will be considered as essential to the war effort. Since the canning industry has much "essential civilian business," it is possible that release of reserves under any set-aside order will not be considered sufficient.

Second, there is no time limit on filing applications for Non-Necessity Certificates. The acceleration of amortization by shortening of the amortization period will depend upon the date named in the certificate as the time when the facility became unnecessary, and not upon the time of filing or the date of issuance of the certificate. Determination to file will depend upon the existence of facts most likely to assure granting of the application.

Third, the canner is not required to shorten his five year amortization period even if a certificate is issued. This remains the choice of the canner. It should be noted that, if a shorter period is elected in accordance with the certificate, the tax for the years affected will have to be recomputed to reflect the resulting change in the amortization deduction. The canner must therefore review his tax situation to discover whether accelerated amortization will be of any material benefit.

Fourth, if a canner does choose to elect a shortened amortization period in accordance with the certificate, he must do so by filing with the Commissioner of Internal Revenue, Washington, D. C., a statement of such election within 90 days after the date of issuance of the certificate.

WFA Offers Canned Tomatoes

The War Food Administration is offering for sale to the original processors 35,851 cases of canned tomatoes consisting of 34,569 cases packed 24 No. 2 cans to the case and 1,282 cases packed 24 No. 2½ cans to the case. These tomatoes are of the 1942 pack. Offers to purchase must be received by WFA not later than November 4, 1944. The tomatoes are located and listed for sale as follows:

1,282 cases (24/2½'s) Sub-standard grade—Lynchburg, Va.; 3,853 cases (24/2's) Standard C grade—St. Louis, Mo.; 1,750 cases (24/2's) Extra Standard B grade—St. Louis, Mo.; 28,966 cases (24/2's) Sub-standard grade—Baltimore, Md., and St. Louis, Mo.

WFA Canned Food Purchases Listed for 9-Month Period

The cost of agricultural commodities purchased by the War Food Administration for Lend-lease, Territorial emergency, Red Cross, and other purposes during the period January 1 to October 1, 1944, totaled $2,476,967,459. From a statement of these purchases the following table has been compiled showing the amount and the f.o.b. cost of the canned food products bought.

Products	Quantity	Cost
Canned fruits:	*Cases*	
Apricots (pie pack)	289,052	$1,443,663
Apricots (syrup pack)	299,572	1,466,000
Blueberries	2,000	9,600
Cherries, sweet	1,897	8,304
Figs	90,946	310,372
Fruit cocktail	20,812	122,619
Grapefruit segments	142,466	502,052
Peaches (syrup pack)	843,269	3,462,162
Pears	57,498	293,193
Pears (pie pack)	616	2,159
Pineapple	855,155	3,502,404
Prunes (syrup pack)	61,728	250,000
Canned vegetables:		
Asparagus	1,738	10,841
Beans, green	974,685	2,806,171
Beets	353,010	829,708
Carrots	265,385	628,299
Peas	392,560	1,095,019
Pumpkin	28,465	59,184
Sauerkraut	905	1,445
Spinach	208,875	546,651
Tomato paste	334,966	1,912,681
Tomato puree	96,828	277,302
Tomatoes	116,867	350,052
Canned juices:		
Grapefruit	620,158	1,606,063
Pineapple	12,000	42,227
Tomato	65,300	156,186
Canned fish:		
Herring	56,733	282,835
Mackerel	194,024	1,290,507
Pilchards	696,110	2,944,198
Salmon	1,324,048	14,418,968
Sardines	1,094,646	4,958,007
Shrimp	8,986	102,324
Squid	71,500	297,950
Tuna and tuna-like fish	1,358	27,093
Miscellaneous:		
Baby foods	708	1,813
Soups	49,171	249,658
Milk:		
Condensed	1,464,004	9,512,383
Evaporated	11,035,889	43,627,734
Canned meat:	*Pounds*	
Beef	12,605,489	2,911,034
Meat food products and rations	4,499,918	1,572,453
Pork	386,565,972	141,481,471
Vienna sausage and potted meat	23,800,860	8,968,529
Canned poultry:		
Chicken	180	295
Turkey	283,076	326,352

PROPOSED REGULATION FOR CANNED OYSTERS ISSUED

A proposed regulation covering the standard fill of container for canned oysters, along with the findings of fact, was published in the October 20, 1944, issue of the *Federal Register* by the Food and Drug Administration. Hearings on this regulation were held in Washington August 22 and 23. (See INFORMATION LETTERS 995 and 1000, pages 8321 and 8362 and last week's mimeographed bulletin.) An announcement to those attending the hearings and the official text of the proposed order follow:

Any interested person whose appearance was filed at the hearing may, within 20 days from the date of publication of this proposed order in the *Federal Register*, file with the Hearing Clerk of the Federal Security Agency, Office of the Assistant General Counsel, Room 4148 South Building, 12th Street and Independence Avenue, Southwest, Washington 25, D. C., written exceptions thereto. Exceptions shall point out with particularity the alleged errors in the proposed order, and shall contain specific references to the pages of the transcript of the testimony or to the exhibits on which each exception is based. Such exceptions may be accompanied with a memorandum or brief in support thereof. Exceptions and accompanying memoranda or briefs should be submitted in quintuplicate.

§ 36.6 *Canned oysters; fill of container; label statement of substandard fill.* (a) The standard of fill of containers for canned oysters when the drained weight of the oysters in the can after processing averages less than ½ avoirdupois ounce per oyster is a fill such that the drained weight of oysters taken from each container is not less than 68 per cent of the water capacity of the container.

(b) For the purposes of this section canned oysters means oysters packed into containers which are then sealed and processed by heat to prevent spoilage.

(c) Water capacity of containers is determined by the general method provided in § 10.1 (a) of this chapter (21 CFR, Cum. Supp., 10.1).

(d) Drained weight is determined by the following method:

Keep the unopened canned oyster container at a temperature of not less than 68° or more than 95° Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute its contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)," in Table I of "Standard Specifications for Sieves," published March 1, 1940 in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained oysters. The weight so found, less the weight of the sieve, shall be considered to be the drained weight of the oysters.

(e) If canned oysters fall below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.2 (b) of this chapter (21 CFR, Cum. Supp.), in the manner and form therein specified, followed by the statement, "A can of this size should contain .... oz. of oysters. This can contains only .... oz.," the blanks being filled in with the applicable figures.

Dated: October 17, 1944 and published in the *Federal Register* October 20, 1944.

WFA Sets Up New Office for Surplus Property Disposal

The War Food Administration has established a new staff office to supervise and coordinate the functions of its various agencies in surplus property disposal reconversion and contract settlement. David Meeker has been named director of the new Office of Surplus Property and Reconversion. He has been serving as Chief of the Farm Machinery and Supplies Branch of the WFA Office of Materials and Facilities.

The new staff office will assist the War Food Administrator in the formulation of policy and procedures and will exercise general supervision over and coordinate the surplus property disposal functions of the Office of Materials and Facilities, the Agricultural Adjustment Agency, the Commodity Credit Corporation, and the Office of Distribution.

Stewart to Head Research Unit

James A. Stewart, Vice President of the American Can Company, formerly in charge of packers' can manufacture, has been relieved of all his duties in that connection to head a newly formed research and development department. The object of the move, as announced by D. W. Figgis, President of the company, is to focus in one department all of the company's research, experimental, new development and marketing resources on assistance to canners, packers and manufacturers in connection with new products and new containers.

Catch and Pack of Fish for 9-Month-Period are Reported

An abundance of fresh and frozen fish but short supplies of at least some kinds of canned fish are indicated in a survey of production by the U. S. fishing industry during the first nine months of the year, released today by the Office of the Coordinator of Fisheries.

Officials of the Coordinator's Office estimate, on the basis of available figures, that total fishery production for the year 1944 may be about 3,800,000,000 pounds, compared with 3,970,000,000 pounds last year. Actual production may exceed the estimate, however, because large landings of pilchards recently made in California will, if continued, materially reduce the deficit in the catch of this species.

Pilchard landings through September totaled 417,946,000 pounds, compared with 511,718,000 for the same period last year. The pilchard catch this year has been processed as follows: 1,329,178 cases of sardines, 32,358 tons of meal, and 6,155,840 gallons of oil.

Tuna landings continued the substantial lead over last year's record which has been maintained throughout 1944. By the end of September, the total landings of tuna at California ports totaled 106,224,831 pounds, as against 89,180,517 pounds in 1943. Oregon tuna fisheries contributed about 20,000,000 pounds in addition.

The pack of canned tuna shows an increase over last year; 2,308,806 cases compared with 1,893,428.

With only a small pack from scattered localities still to be reported, production of Alaska salmon by September 16th totaled 4,838,000 cases, a drop of approximately 500,000 cases from last year.

Canned shrimp will continue to be scarce, with a pack of only 195,183 cases by Gulf of Mexico plants covered by the survey, or about 100,000 cases below the 1943 pack. Actual landings of shrimp have declined less sharply, but unusual quantities have been marketed as fresh or frozen shrimp, instead of going to the canneries.

Herring have been plentiful along the Maine coast and the canneries have been well supplied with young herring or sardines. A pack of 2,475,507 cases of sardines is reported, as against 1,890,526 cases last year.

Pacific mackerel, which has been lagging behind 1943 figures, took a sudden spurt as the season of heavy production got under way in September

and now stands at 37,237,308 pounds for the nine-month-period, as against 24,891,807 pounds last year. Almost the entire catch is canned, and the pack on September 30 was 391,151 cases compared with the 1943 figure of 251,674 cases.

POST-WAR PROBLEMS AND POLICIES OF AGRICULTURE

Post-war problems and policies of agriculture was one of the principal themes discussed at the general sessions of the 58th annual convention of the Association of Land Grant Colleges and Universities held in Chicago October 24-26, with Dean C. B. Hutchison presiding.

This subject was high lighted in the preliminary report of the Committee on Post-War Agricultural Policy, to the presentation of which most of one general session was devoted. This committee of 18 members, under the chairmanship of Noble Clark, Associate Director of the Wisconsin Agricultural Experiment Station, held meetings during the year in different parts of the country and sought advice and counsel from agricultural leaders as well as from farm organizations and others, both within and outside the State agricultural colleges and universities.

The 50-page mimeographed report, printed copies of which will soon be available, was presented to the convention in the following five parts: National setting for farm policies; price policies and production adjustment; promoting desirable tenure conditions and protecting natural resources; improvement of rural living and social facilities; and formulating and administering farm policies and programs. The part on price policies and product adjustment was presented by Prof. H. R. Wellman of California.

Following its historic custom, the Association of Land Grant Colleges was addressed by the Secretary of Agriculture. In his opening remarks Secretary Wickard stated that "the October crop report has shown beyond all doubt that for the eighth year in a row the farmers of this country are breaking all previous records for food production."

Charles G. Woodbury, Director of the Raw Products Bureau of the N. C. A. attended the Land Grant College meeting, not only to keep in touch with the thinking of the agricultural college leaders about post-war agricultural problems, but especially to discuss informally the problems of canning crops agriculture and canning crops research programs with the directors of the agricultural experiment stations from the States where production of fruits and vegetables for canning is important.

Green Pea Pack for 1944

The total pack of canned green peas in 1944 amounted to 30,130,834 cases of all sizes, compared with 33,826,568 cases of all sizes packed in 1943, according to figures compiled by the Association's Division of Statistics based upon reports from all canners packing peas. On a basis of the standard case of 24/2's, the 1944 pack was 31,524,361, compared with 35,051,559 cases in 1943.

The following table compares the Alaska and Sweet packs of 1944 with 1943, by States, in actual cases:

State	1943 Alaskas Cases	1943 Sweets Cases	1944 Alaskas Cases	1944 Sweets Cases
New York and Maine	17,685	965,868	30,820	2,483,077
Maryland	1,617,727	252,504	1,036,667	225,702
Delaware and New Jersey	239,965	249,800	375,948	63,157
Pennsylvania	367,878	390,465	244,934	574,856
Other Middle Atlantic States	156,429	63,629	83,041	38,456
Ohio	361,048	64,975	280,383	108,224
Indiana	653,358	49,801	312,012	19,457
Illinois	554,933	1,132,000	247,569	740,082
Michigan	121,336	277,346	242,326	351,886
Wisconsin	7,874,480	4,474,307	6,504,657	4,835,379
Minnesota	894,514	1,530,379	462,156	1,033,381
Other Midwest States	455,500	166,090	329,535	111,333
Montana and Wyoming	.....	441,422	.....	318,375
Idaho and Utah	211,136	2,257,757	18,904	2,457,802
Washington and Oregon	1,279,376	5,717,000	861,712	5,209,524
Other Western States	163,037	834,914	87,351	522,128
Total	14,968,311	18,868,257	11,088,015	19,072,819

Magel Resigns from WFA

Frederick E. Magel has resigned from the War Food Administration's Procurement and Price Support Branch as food consultant on canned foods because of the restrictions of Section 27 of the Surplus War Property Disposal Act. At least five other food consultants have left the WFA for the same reason.

Mr. Magel, prior to entering the government service, was employed by the H. J. Heinz Co., at Pittsburgh.

Contingency Reserves Being Released on Seven Products

The War Food Administration has authorized the Army Quartermaster Corps to release the contingency reserves of the following items: Canned beets, canned carrots, canned tomatoes, tomato catsup, tomato juice, tomato puree, tomato paste. This action, however, does not give canners the authority to sell their contingency reserves to the civilian trade. Such authority can be given only by the Quartermaster field buyers and must be obtained in writing by the canner before the canner is relieved of his obligation to hold this merchandise for the Government.

It is essential that the canner obtain this written release from the Army field buyer first, because the merchandise cannot be sold to the civilian trade until the canner has a written release, and secondly, because the WFA may require the canner to prove that such merchandise was properly released from the set-aside order before subsidies are paid on it.

The Army field buyers have been notified and are proceeding to make the releases as rapidly as possible. In the case of tomato paste the field buyers have been authorized to release 3½ per cent of the specific reserve in addition to the contingency reserve.

Canned Beets and Carrots, Lima Beans Committees Named

Two industry advisory committees have been named by the Office of Price Administration to aid in problems involved in the pricing of the 1944 pack of canned beets, carrots, and lima beans. Members of the two groups include the following:

Canned Beets and Carrots Industry Advisory Committee—Henry Townend, Lord-Mott Co., Baltimore, Md.; A. T. Flynn, Reid, Murdock & Co., Ellsworth, Mich; E. A. McCornack, Eugene Fruit Growers Association, Eugene, Ore.; W. A. Chick, California Packing Co., San Francisco, Calif.; Russell Winters, The Larsen Co., Green Bay, Wis.; Bredo Christensen, Rio Sun Co., McAllen, Texas; and Glenn Finch, Edgett-Burnham Co., Newark, N. Y.

Canned Lima Beans Industry Advisory Committee—C. B. Torsch, The Torsch Canning Co., Baltimore, Md.; F. L. Shannon, W. N. Clark Co., Rochester, N. Y.; Gilbert J. Hipke, A. T. Hipke & Sons, Inc, New Holstein, Wis.; and Carlton Draper, Draper Canning Co., Milton, Del.

The Canned Beets and Carrots Industry Advisory Committee has met once informally with the OPA to discuss the pricing of canned beets.

MARKED DECLINE OCCURS IN CONSUMER COMPLAINTS

Decrease Attributed to the Generally Improved Economic Conditions

Since the United States entered the present World War there has been a very marked decline in the number of consumer complaints reported to the Association. This evidently is due largely to the improved economic conditions in certain districts and among certain classes of people who appear to be particularly "claim-minded." At the present time the number of complaints referred to the Association is only about one-third of that received during the peak period, 1938-1940, inclusive.

It is fortunate that this condition exists when the canning industry is burdened with so many unusual problems, but it seems reasonable to anticipate that, after peace is restored, there will be renewed activity, and that the calls upon the Association for this branch of service may equal, or possibly exceed that of the peak period. Of course, the increase will depend upon the extent to which general economic conditions return to what they were prior to the War.

For the benefit of new members particularly, attention is called again to the following services which are available to them in the event of complaints involving their canned food products.

(1) The Association will arrange for a thorough investigation of the complaint, the results of which will be reported to the member concerned.

(2) The Association will undertake to settle any complaint which appears to be justified, if this can be done on a reasonable basis. The actual cost of settlement, however, must be borne by the member.

(3) The Association will arrange for the defense of a suit arising from an unjustified complaint, whether brought against the member or a distributor, and pay the necessary attorneys' fees, provided the Association's General Counsel agrees that the claim should be contested, and provided the member agrees to pay the judgment in case of an adverse verdict.

(4) The Association will secure and pay for the services of expert medical or bacteriological witnesses, if considered necessary by the attorney employed by the Association to defend the suit.

(5) The Trustees of a Special Protective Fund, set up by the Association, may contribute, under certain conditions and at their discretion, toward payment of any judgment or settlement in excess of $1,000, but the amount contributed in any one case shall not exceed $24,000.

It is hoped that members will continue to experience little trouble with complaints, but if they do, the Association's service will be gladly made available to them.

Sales of Government-Owned Foods Reported to October 1

Sales of government-owned surpluses of canned food items and dry beans and peas for the period from January 1 through September 30, 1944, have amounted to $4,302,583. About 88.7 per cent, or $3,814,331, of the sales consisted of canned corn, catsup, pumpkin, sauerkraut, salmon, tomato puree, and carrots and dry beans and peas. Items sold and the sale price follow:

Commodity	Quantity	Price
	Cases	
Corn	393,946	$824,925
Pumpkin	105,727	228,352
Sauerkraut	64,337	132,762
Green beans	96	202
Beets	1,200	1,830
Carrots	27,891	50,338
Tomato paste	3,000	13,254
Tomato puree	28,954	83,277
Tomato catsup	99,680	350,438
Tomato juice	15,147	31,352
Olives	4,680	21,717
Orange juice	14,043	37,347
Salmon	7,460	89,491
Pilchards	330	1,705
Mackerel	1,420	2,045
Evaporated milk	11,536	18,647
Condensed milk	1,795	9,463
	Cans	
Canned fruits	129	17
Canned meat products	650	123
	Pounds	
Dry beans	12,158,906	540,691
Garbanzos	26,481,655	1,381,435
Dry peas	19,648,861	483,060

New Citrus Wage Ceilings

Maximum wage rates have been established for tree-picking of oranges of the navel variety and lemons in Fresno, Tulare and Kern counties of California in two wage-ceiling orders just issued by War Food Administration's director of labor.

The ceiling under Regulation No. 39 for orange picking is 15 cents, and under Regulation No. 40, for lemon picking, is 35 cents, per standard field box or equivalent cubic inch capacity. Both orders are effective October 31, 1944. The California WFA wage board will administer the two orders in accordance with the master specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944, as revised October 23.

OPA Requires Canners to File Reports on Canned Food Pack

Canners and distributors of canned foods that were formerly rationed must continue to file periodic reports on supplies of these items even though they have been removed from the rationing program, the Office of Price Administration has announced. The action, which was taken by Amendments 61 and 62 to Ration Order 13, effective October 28, also requires producers of canned or bottled soups, vegetables or vegetable purees, frozen foods, baby foods, jams, jellies, fruit butters, marmalades, preserves, dried prunes and raisins to file reports of their production of these items.

Dealers in canned or bottled vegetables or purees, soups or baby foods or in dried fruits or dry beans, peas or lentils, who, if these commodities still were rationed would be classed as wholesalers under rationing regulations, must file regular reports unless they are authorized by the Washington office of the OPA not to file such reports.

Conrad to Assist Meyer

William E. F. Conrad has been named assistant to E. A. Meyer, Chief of the Fruit and Vegetable Branch in the WFA Office of Distribution. His assignment will involve matters pertaining to price and other economic policies.

Mr. Conrad, a native of Marysville, Ohio, entered government service with the Federal Trade Commission. He transferred to the Bureau of Agricultural Economics early in 1941 and to the Office of Distribution in October 1943 where, as chief of the Military and Special Requirements Division of the Requirements and Allocation Control, he was secretary of the fruits and vegetables committee of the Combined Food Board and also secretary of the fruits and vegetables subcommittee of the Food Requirements and Allocations Committee.

State Convention Dates

The Texas Canners Association has announced that its annual meeting, originally set for November 6, will be held on Wednesday, November 22, at the Casa de Palmas Hotel, McAllen, Texas.

The Fall meeting of the Ozark Canners Association will be held December 8 at the Colonial Hotel, Springfield, Mo.